

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 February 2025

DOCKET NUMBER: AR20240007031

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show the Cold War Medal, Korea Defense Service Medal, and the Southwest Asia Service Medal with one bronze service star.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- photocopy of a U.S. official passport front cover

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states he served during the time periods and campaigns. He was a Department of the Army Criminal Investigation Division agent, and he was assigned as a bodyguard for the Secretary of Defense and for the Chairman of the Joint Chiefs of Staff. His official passport shows his travel to Jordan and Saudi Arabia in support of operations in hostile regions. He traveled many times in support of operations in Jordan and Saudi Arabia from 1994 to 1996. His file may contain temporary duty orders showing his assignments. He has his expired official passport to show his many visits to these countries.
3. The applicant enlisted in the Regular Army on 21 November 1989. His DA Form 2-1 (Personnel Qualification Record-Part II) shows in section 5 (Oversea Service) he served in Korea from 16 April 1990 to 19 July 1991. The DA Form 2-1 does not show service in Southwest Asia.

4. Information obtained from the Defense Finance and Accounting Service indicates the applicant received hostile fire/imminent danger pay for service in Southwest Asia during the period 1-31 July 1996.

5. The applicant was released from active duty and transferred to the U.S. Army Reserve on 1 November 1996. His DD Form 214 does not show his service in Southwest Asia in block 18 (Remarks) or awards authorized for service in Southwest Asia and Korea in block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized (All Periods of Service)).

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined partial relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the available documentation, the Board made the following findings and recommendations related to the requested relief:

- add the Cold War Medal: DENY, based upon the regulatory guidance outlined in AR 600-8-22 failing to show that the Cold War Medal is an authorized award to be reflected on the DD Form 214
- add the Korea Defense Service Medal: GRANT, based upon the information reflected in the applicant's military record and annotated in the administrative notes below
- add the Southwest Asia Service Medal with one bronze service star: DENY, based upon the regulatory guidance outlined in AR 600-8-22 reflecting required service dates to obtain the award being 2 August 1990 to 30 November 1995 and the applicant's records showing he served in Southwest Asia in July 1996 (outside the qualifying period for the award).

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:XXX	:XXX	:XXX	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by adding the information reflected below in the administrative notes.
2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to adding the Cold War Medal and the Southwest Asia Service Medal.

//SIGNED//

X

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

ADMINISTRATIVE NOTE(S): add to the applicant's DD Form 214, in the below blocks, the following entries -

- block 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized (All Periods of Service)) - Korea Defense Service Medal
- block 18 (Remarks) - "Service in Southwest Asia From 19960701-19960731"

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation 600-8-22 (Military Awards) states:

a. The Southwest Asia (SWA) Service Medal is awarded to all Servicemembers of the Armed Forces of the United States serving in SWA and contiguous waters or airspace there over on or after 2 August 1990 to 30 November 1995. SWA and contiguous waters, as used herein, is defined as an area which includes the Persian Gulf, Red Sea, Gulf of Oman, Gulf of Aden, that portion of the Arabian Sea that lies north of 10 degrees north latitude and west of 68 degrees east longitude, as well as the total land areas of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and United Arab Emirates. Servicemembers of the Armed Forces of the United States serving in Israel, Egypt, Turkey, Syria, and Jordan (including the airspace and territorial waters) between 17 January 1991 and 30 November 1995 will also be eligible for this award. Servicemembers serving in these countries must have been under the command and control of the U.S. Central Command or directly supporting military operations in the combat theater. A bronze service star is authorized for wear with this medal for participation in each credited campaign. Approved designated campaigns are:

- Defense of Saudi Arabia (2 August 1990 to 16 January 1991)
- Liberation and Defense of Kuwait (17 January to 11 April 1991)
- Cease-Fire Campaign (12 April 1991 to 30 November 1995)

b. The Korea Defense Service Medal is authorized for award to members of the Armed Forces of the United States who have served on active duty in support of the defense of the Republic of Korea. The period of eligibility is 28 July 1954 to a date to be determined by the Secretary of Defense.

c. The regulation does not identify the Cold War Medal as an authorized award.

3. Army Regulation 635-8 (Separation Processing and Documents) prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for the preparation of the DD Form 214. It states in block 18 (Remarks) of the DD Form 214, for an active duty Soldier deployed to a foreign country with their unit during their continuous period of active service, enter the statement "SERVICE IN (name of country deployed) FROM (inclusive dates for example, YYYYMMDD-YYYYMMDD)."

4. Army Regulation 15-185 (ABCMR) provides Department of the Army policy, criteria, and administrative instructions regarding an applicant's request for the correction of a military record. Paragraph 2-9 states the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of evidence.

//NOTHING FOLLOWS//